

NO. PD-0441-21

SAUL RANULFO HERRERA RIOS,	*	IN THE COURT OF CRIMINAL APPEALS
		FILED 1/10/2022 DEANA WILLIAMSON, CLERK
Petitioner	*	CRIMINAL APPEALS
VS.	*	OF TEXAS
STATE OF TEXAS,	*	IN
Respondent	*	AUSTIN, TEXAS

FIRST MOTION FOR EXTENSION OF TIME
TO FILE PETITIONER'S BRIEF

TO THE HONORABLE JUDGES OF SAID COURT:

COMES NOW, the Petitioner in the above-styled and numbered cause, by and through his attorney of record, and moves the Court to extend the time for filing the Petitioner's Brief, and in accordance with the appellate rules, submits the following facts:

1. Trial Court: F1724112-P, 203rd Judicial District Court, Dallas County,
date of appealable order – March 1, 2019

2. Court of Appeals: 05-19-00297-CR, Fifth District Court of Appeals, Dallas, Texas, date of opinion, June 1, 2021, conviction affirmed, no motions for rehearing
3. Deadline for filing Petitioner's brief: January 6, 2022
4. Length of time requested for the extension: 30 days
5. The number of extensions of time which have been granted previously regarding this item: 0
6. The facts relied upon to reasonably explain the need for an extension:
 - a. Counsel was appointed on December 7, 2021.
 - b. Counsel was not counsel on the direct appeal or the petition for discretionary review, so counsel has had to familiarize herself with the entire record.
 - c. Counsel took off several days over the Christmas holiday to spend with family out of town.

In addition, the undersigned counsel respectfully shows the Court that unless this motion is granted, the Petitioner will be denied the effective assistance of counsel on appeal.

WHEREFORE, PREMISES CONSIDERED, the Petitioner prays that
this Honorable Court will extend the time within which to file the
Petitioner's brief until the 5th of February, 2022.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Bernhard", written over a horizontal line.

Catherine Clare Bernhard
P.O. Box 506
Seagoville, Texas 75159
972-294-7262
fax – 972-421-1604
cbernhard@sbcglobal.net
State Bar No. 02216575

ATTORNEY FOR PETITIONER

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion was served through the court's electronic filing system on Marisa Elmore, Assistant District Attorney, Dallas County District Attorney's Office, 133 N. Riverfront Blvd., LB 19, Dallas, Texas 75207, at marisa.elmore@dallascounty.org and on Stacy M. Soule, State Prosecuting Attorney, P.O. Box 13046, Austin, Texas 78701, at information@spa.texas.gov on January 5, 2022.



Attorney for Petitioner

Automated Certificate of eService

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Catherine Bernhard
Bar No. 02216575
cbernhard@sbcglobal.net
Envelope ID: 60539799
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Associated Case Party: State of Texas

Name	BarNumber	Email	TimestampSubmitted	Status
Marisa Elmore		marissa.elmore@dallascounty.org	1/5/2022 7:29:53 PM	SENT
Stacy M.Soule		information@spa.texas.gov	1/5/2022 7:29:53 PM	SENT